

PUBLIC NOTICE NO. MT-08-08
May 5, 2008

PURPOSE OF PUBLIC NOTICE

The purpose of this notice is to state the Department's intention to issue a wastewater discharge permit to the facility listed in this notice. This permit is issued by the Department under the authority of 75-5-402, Montana Code Annotated (MCA); the Administrative Rules of Montana (ARM) 17.30.1301 *et seq.*, Montana Pollutant Discharge Elimination System (MPDES); and Sections 402 and 303 of the Federal Clean Water Act. The Water Protection Bureau has prepared a draft permit for the facility listed below. Copies of the draft permit, fact sheet, and environmental assessment are available upon request from the Water Protection Bureau or on the Department's website www.deq.mt.gov.

APPLICANT INFORMATION

PERMIT NUMBER:	MT0021938
APPLICANT:	City of Kalispell P.O. Box 1997 Kalispell, MT 59903-1997
FACILITY NAME:	City of Kalispell Wastewater Treatment Plant
FACILITY LOCATION:	2001 Airport Road Kalispell, Flathead County, MT 59901
RECEIVING WATER:	Ashley Creek

The Kalispell Wastewater Treatment Plant serves the residents and businesses of the City of Kalispell, Flathead County Water & Sewer District #1, and Village-County Sewer District. The facility is undergoing an expansion to increase plant capacity to 5.4 mgd utilizing the modified Johannesburg treatment process. The new treatment system is anticipated to be fully operational in 2010. The effluent is continuously discharged to Ashley Creek at Outfall 001 following UV disinfection and post-treatment aeration. Limits are proposed that maintain discharge at the nondegradation levels. Increased monitoring frequencies are in place to assess compliance with daily maximum, 7-day, and 30-day limitations.

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total maximum daily loads under Section 303(d) of the Clean Water Act are established for a particular water quality limited segment, the State is not to issue any new permits or increase permitted discharges under the MPDES program. The order was issued in the lawsuit *Friends of the Wild Swan v. U.S. EPA, et al.*, CA 97-35-M-DWM, District of Montana, Missoula Division. The DEQ finds that the issuance of this proposed permit does not conflict with the order because: 1) the discharge is in compliance with the provisions of 75-5-303, MCA (Nondegradation Policy); 2) the discharge will not cause a decline in water quality for the parameters for which the water body is listed.

PUBLIC COMMENT

Public comments are invited **ANYTIME PRIOR TO CLOSE OF BUSINESS June 4, 2008.** Comments may be directed to the DEQ Permitting & Compliance Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620. All comments received or postmarked **PRIOR TO CLOSE OF BUSINESS June 4, 2008** will be considered in the formulation of final determinations to be imposed on the permits. If you wish to comment electronically, you may e-mail Dianne Beaman at WPBPublicNotices@mt.gov.

During the public comment period provided by the notice, the Department will accept requests for a public hearing. A request for a public hearing must be in writing and must state the nature of the issue proposed to be raised in the hearing (ARM 17.30.1373).

The Department will respond to all substantive comments and issue a final decision within sixty days of this notice or as soon as possible thereafter. Additional information may be obtained upon request by calling (406) 444-3080 or by writing to the aforementioned address. The complete administrative record, including permit application and other pertinent information, is maintained at the Water Protection Bureau office in Helena and is available for review during business hours.

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